

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ELECTRONIC CONTROLS, INC.,

PLAINTIFF,

VS.

CIVIL ACTION NO. 4:07CV46-P-B

AMTEL SECURITY SYSTEMS, INC.,

DEFENDANT.

ORDER

This matter comes before the court upon Plaintiff Electronic Controls, Inc.'s motion for summary judgment [91]. After due consideration of the motion and the responses filed thereto, the court finds as follows, to-wit:

The plaintiff has not demonstrated that there is no genuine issue of material fact warranting summary judgment. Genuine issues of material fact include: (1) whether ECI consulted with Amtel before the former purchased the subject components or whether ECI simply ordered the components from Amtel's catalog on its own without consultation; (2) whether Amtel's technicians identified more problems with the system than the absence of shielded wires; (3) whether Amtel's technicians were allowed sufficient access and time to inspect the system; and (4) what effect the construction of the hospital, Doorguard's products, Amtel's products, and ECI's installation had on the system failure.

IT IS THEREFORE ORDERED AND ADJUDGED that Plaintiff Electronic Controls, Inc.'s motion for summary judgment [91] is **DENIED**.

SO ORDERED this the 9th day of September, A.D., 2009.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE